



# CONTRACT LAW DIVISION

Office of Assistant General Counsel for Finance and Litigation



Biweekly Report—Period Ending October 23, 1999

## Aspen Helicopters, Inc. v. DoC, GSBICA

### No. 13258-COM

On October 6, 1999, appellant noticed its appeal to the United States Court of Appeals for the Federal Circuit of the GSBICA decision which denied its appeal of a claim for an equitable adjustment. (Terry H. Lee; Amy L. Freeman-Pierce).

### ViON Corp. v. DoC—GAO No. B-283804.1, 283804.2

ViON Corp. has filed a supplemental protest to its initial protest against the award of a \$8 Million delivery order to EMC Corporation ("EMC"). PTO issued the delivery order against EMC's Federal Supply Schedule ("FSS") contract. (GSA maintains the Federal Supply Schedule which allows agencies to purchase commonly used commercial items in a simplified manner). The basis for the supplemental protest is that ViON claims PTO purchased items not on EMC's FSS contract. . We have filed a Request for Dismissal claiming that a delivery order issued under a FSS contract should not be subject to a GAO protest and that every item purchased was on EMC's FSS contract. (Lisa J. Obayashi)

## DRC Corporation v. Dept. of Commerce, GSBICA

### No. 14919-COM

We traveled to South Bend, Indiana to complete document production and for the Board hearing in this case. At the conclusion of the hearing, GSBICA Judge Daniels informed the parties that he would issue his decision by October 29th. (Amy Freeman-Pierce & Fred Kopatich)

## Radioonde Replacement

Ed Weber participated in the initial Program Management Review on the Radioonde Replacement Telemetry Receiver Contract held at the headquarters of ATIR/US, Inc. in Grand Rapids Michigan.

Also, as part of this CONOPS initiative, the Office reviewed both the Request for Information (RFI) and the Commerce Business Daily (CBD) for the Radioonde Qualified Products List. NOAA/NWS anticipates awarding one or more small contracts for the delivery of test GPS Radiosondes in late December, 1999

## CLD "Time to Complete"—1.7 Days

### Actions by Contract Law Division during Period from 10/10/1999 10/23/1999

Bureau	Received	Completed
CENSUS	4	4
NIST	1	1
NOAA	7	5
NTIA	1	1
PTO	2	2
Totals	15	13

### Contract Law Division—Client Workload Period Ending 10/23/99

